	Application No.	Applicant(s)
Notice of Allowability	09/768,293	ACHARYA, YATIN R.
	Examiner	Art Unit	
	Salad E. Abdullahi	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *interview summary conducted on 10/31/2005*.

2. ☒ The allowed claim(s) is/are *1,4-8,10-14 and 16-18*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *10/31/2005* .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

ABDULLAHI SALAD
PRIMARY EXAMINER

Examiner's Amendment

1.   Please amend the claims as attached.

2.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E. Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300.**

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ABDULLAHI SALAD
PRIMARY EXAMINER

1.   (currently amended) A method for establishing a trunk between first and second network devices, comprising:

monitoring, via the first network device, at least one of a source address or destination address in packets destined for or received from the second network device;

determining, based on the monitoring, whether a communication pattern exists, where the determining includes detecting a predetermined number of packets having identical source or destination addresses over a predetermined period of time; and

automatically establishing the trunk between the first network device and second network device when the communication pattern is determined to exist.

2.   (canceled)

3.   (canceled)

4.   (original) The method of claim 1 wherein the first network device includes a multiport switch and the second network device includes a server.

5.   (original) The method of claim 1 wherein automatically establishing the trunk includes:

automatically establishing two or more trunks between the first network device

and second network device.

6.   (original) The method of claim 1 wherein automatically establishing the trunk includes:

assigning at least two ports on the first network device to the trunk.

7.   (previously presented) The method of claim 6 further comprising:

deactivating the trunk when the communication pattern is determined to no longer exist and reassigning the ports to new trunks if a new pattern is determined.

8.   (currently amended) A system for establishing at least one trunk between a first network device and a second network device, comprising:

means for monitoring at least one of traffic to the second network device or traffic from the second network device;

means for determining, based on the monitoring, if a communication pattern exists, where the means for determining includes:

means for detecting a predetermined number of packets having identical source or destination addresses over a predetermined period of time; and

means for automatically establishing the at least one trunk between the first network device and the second network device when a communication pattern is determined to

exist.

9. (canceled)

10. (original) The system of claim 8 wherein the first network device includes a multiport switch and the second network device includes a server.

11. (original) The system of claim 8 wherein the means for automatically establishing the at least one trunk comprises:

means for associating two or more ports of the first network device with each of the at least one trunk.

12. (original) The system of claim 11 wherein the means for automatically establishing the at least one trunk further comprises:

associating one or more trunk control bits with each port, the trunk control bits indicating a status of the port.

13. (original) The system of claim 8 further comprising:

means for deactivating the at least one trunk when the communication pattern is determined to no longer exist.

14.   (currently amended) A network device comprising:

a receiver configured to receive packets having a source address and a destination address; and

an internal rules checker configured to monitor the received source and destination addresses in the received packets, determine whether a communication pattern exists over a predetermined period of time by detecting whether a predetermined number of packets having identical source or destination addresses over the predetermined period of time, and establish one or more trunks between the network device and at least one other network device in response to determining that a communication pattern exists.

15.   (canceled)

16.   (original) The network device of claim 14 wherein the internal rules checker is further configured to:

deactivate the one or more trunks when the communication pattern is determined to no longer exist.

17.   (original) The network device of claim 14 wherein, when establishing the one or more trunks, the internal rules checker is configured to:

assign at least two ports on the network device to each trunk.

18.   (original) The network device of claim 14 further comprising:

at least one register configured to store trunking information,

wherein, when establishing the one or more trunks, the internal rules checker sets

at least one bit in the at least one register based on the determined communication pattern.